

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

CHRISTOPHER BENJAMIN  
MONTGOMERY,

*Defendant.*

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NO. 1:19-CR-64

JUDGE MICHAEL TRUNCALE

**ORDER ADOPTING REPORT AND RECOMMENDATION**

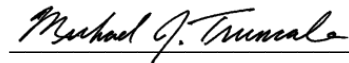
Pending are the Defendant, Christopher Benjamin Montgomery's, *Pro Se Application for Compassionate Release* (Doc. #43, filed September 1, 2020) and *Pro Se Motion for Reduction in Sentence or Compassionate Release or Home Confinement* (Doc. #44, filed August 10, 2021). On June 23, 2020, Montgomery was sentenced to 75 months' imprisonment with a three year term of supervised release for violations of 21 U.S.C § 841(a)(1) (Possession With Intent to Distribute a Controlled Substance (Cocaine)) and 18 U.S.C. § 924(c)(1)(A) (Possession of a Firearm In Furtherance of a Drug Trafficking Crime). On April 3, 2024, Judge Hawthorn filed his *Report and Recommendation* that Montgomery's motions be granted and reducing his sentence to "time served." (Dkt. 53.)

The Court has received and considered the report. The parties have not filed objections to the report and recommendation, and the time for doing so has passed. *See* 28 U.S.C. 636(b)(1). The Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct, and the Report is ADOPTED.

It is ORDERED that Montgomery's *Pro Se Application for Compassionate Release* (Doc. #43) and *Pro Se Motion for Reduction in Sentence or Compassionate Release or Home*

*Confinement* (Doc. #44) are GRANTED. His sentence is reduced to time served, with supervised release for 3 years to follow on terms previously imposed. An Amended Judgement will be entered separately. This sentence will be stayed for fourteen days to provide the Bureau of Prisons and the United States Probation Office time to implement the amended sentence. The clerk shall provide a copy of this order to the Bureau of Prisons and the Probation Office.

**SIGNED** this 25th day of April, 2024.

A handwritten signature in black ink, reading "Michael J. Truncala", is written over a horizontal line.

Michael J. Truncala  
United States District Judge